

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BATH & BODY WORKS BRAND
MANAGEMENT, INC.,

Plaintiff,

v.

TRI-COASTAL DESIGN GROUP, INC.

Defendant.

CIVIL ACTION

Index No.: 2:12-cv-00957-WJM-MF

**DECLARATION OF
ROBERT J. McHENRY**

TRI-COASTAL DESIGN GROUP, INC.

Counterclaim Plaintiff,

v.

BATH & BODY WORKS BRAND
MANAGEMENT, INC.,

Counterclaim Defendant.

I, ROBERT J. McHENRY, hereby certifies that the following statements are true and correct and understands that these statements are made under penalty of perjury:

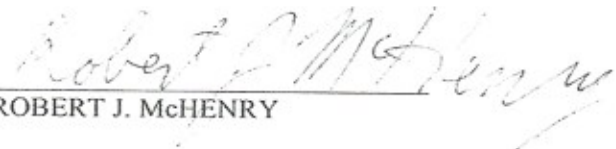
1. I am an expert witness in the above captioned case, and all of the statements set forth below and in my expert report are based upon personal knowledge and/or belief.

2. I examined the functionality of the bottle features described in the '415 patent and those of the bottle features described in the '532 patent. To supplement my analysis, I carried out measurements and physical experiments on bottles purchased from a Bath & Body Works retail store. These purchased bottles correspond well to the figures

contained in the patents in question. Attached hereto is a true and accurate copy of my expert report and all attachments thereto submitted in this matter including Appendix B which sets forth my background and experience that qualifies me to testify as an expert in this matter.

I declare, under penalty of perjury, that the foregoing is true and correct.

Date: January 30, 2013
St. Charles, IL


ROBERT J. McHENRY